

STATE OF ARIZONA ARIZONA STATE LIQUOR BOARD 800 WEST WASHINGTON, 5TH FLOOR PHOENIX, AZ 85007

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DOUGLAS A. DUCEY Governor

TROY L. CAMPBELL Board Chair JOHN COCCA Director

Arizona State Liquor Board Hearing Minutes July 11, 2019

Members Present:

Troy L. Campbell - Chair, Walter W. Jahn - Vice Chair, Jeffrey K. Oravits

(telephonically), and Michael N. Widener (telephonically).

Members Absent:

None

Counsel Present:

Michael Raine, Assistant Attorney General

Staff Present:

Denise Bale, Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on July 11, 2019, at 10:12 a.m. with Mr. Campbell presiding.

Roll Call

All members were present (Mr. Oravits and Mr. Widener telephonically).

B. 10:00 a.m. Agenda: Review, consideration and action

1. Beer and Wine Store Liquor License, No. 42289 - Original Application

Myat Min Thu Mingalar LLC Point 4201 W. Bethany Home Road Phoenix, AZ 85019

This matter is set for hearing because the City of Phoenix recommended disapproval. Subsequent to this matter being set for hearing, the Applicant filed a Motion to Vacate Hearing with the Board. Applicant Myat Min Thu did not appear and was not represented by counsel. The City appeared and was represented by Assistant City Prosecutor Alexandra Lange. Sevilla Neighborhood Association representative Lawrrie Fitzhugh appeared and testified in support of the City.

Mr. Raine explained that the Applicant filed Motion to Vacate July 11, 2019 Hearing and essentially wants to close the matter without a subsequent hearing. Typically, the Board would see an application withdrawal form, but the Applicant does not wish to submit that.

Motion to convene in executive session

for the purpose of receiving legal advice - Jahn

Seconded - Widener

Yay - Jahn, Widener, Campbell, Oravits

Nay - None Abstained - None

Disposition - Convene in executive session

The Board convened in executive session at 10:16 a.m. and reconvened in open session at 10:25 a.m.

Motion to deny Applicant's motion

to vacate July 11, 2019 hearing - Jahn
Seconded - Widener

Yay - Jahn, Widener, Campbell, Oravits

Nay - None Abstained - None

Disposition - Motion to vacate hearing denied

Ms. Lange addressed the Board and expressed no opposition to submitting the case on the record. Mr. Campbell took notice of the record submitted by the parties. Mr. Widener suggested that any members of the public who are present and prepared to make a presentation to the Board be allowed some time to address the Board. Mr. Campbell asked Lawrrie Fitzhugh, witness for the City of Phoenix, to testify. Ms. Fitzhugh described the schools in the neighborhood and the rise of violent crimes in the community. She stated that 64 liquor licenses operate within a 2-mile radius of the proposed location.

Mr. Widener made a motion adopting the rationale as to the location that was presented from the City and its witness, as well as the fact that the Applicant failed to carry its burden.

Motion to deny the license - Widener Seconded - Oravits

Yay - Widener, Oravits, Campbell, Jahn

Nay - None Abstained - None

Disposition - License denied

2. Beer and Wine Store Liquor License, No. 57933 - Original Application

Stephanie Paola Robles Miranda, Agent Amigos Carniceria LLC Amigos Carniceria 9210 S. Avenida Del Yaqui Guadalupe, AZ 85283

This matter is set for hearing because the Town of Guadalupe recommended disapproval. The Applicant, Amigos Carniceria LLC, and its Agent, Stephanie Robles Miranda, appeared at the hearing and were not represented by counsel. Alex Moctezuma and Juan Lopez Moreno appeared and testified in support of the Applicant. The Town of Guadalupe did not appear at the hearing and was not represented by counsel.

Mr. Moctezuma addressed the Board. He introduced Mr. Moreno who has operated a convenience for five years and has no liquor violations. Mr. Moreno addressed the Board. He will be the manager of this location and be present from 8:30 a.m. to 9:00 p.m. Mr. Moreno intends to hire another manager who will operate his other store while he opens this store and establishes the business. He expects liquor sales to be 10-15% of his revenue. Mr. Moreno has completed the required liquor training. Mr. Moreno plans

to open in two weeks and his store will be the only convenience store in Guadalupe that sells cooked meat. Ms. Robles Miranda is the agent and will not be working at the store.

Mr. Jahn made a motion to approve the license. The Applicant has met the qualifications and does not have any liquor violations with his other location. Also the public convenience requires and the best interest of the community will be served by granting a liquor license to this location as required by A.R.S. \S 4-203(A).

Motion to grant the license -

Jahn

Seconded -

Widener

Yay -

Jahn, Widener, Oravits, Campbell

Nay -

None

Abstained -

None

Disposition -

License granted

D. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda

The next meeting is scheduled for August 1, 2019. Mr. Campbell has a conflict with that date and requested that the Board meet on August 8. Mr. Oravits' telephone lost its connection and the Board lost its quorum. The meeting was adjourned.

The Board adjourned at 10:55 a.m.

Denise M. Bale

Administrator of the

Arizona State Liquor Board